



AGENDA

Planning Commission

MEETING DATE AND TIME:

May 8, 2019 - 7:00 p.m.

MEETING LOCATION:

Council Chamber

Members of the public who wish to discuss an item should fill out a speaker identification card and hand it to the secretary. When the item is announced by the Chair, speakers should come forward to the microphone, and upon recognition by the Chair, state their names and addresses.

All actions by the Planning Commission are final unless an appeal to the City Council is filed with the City Clerk within ten (10) working days of the decision.

Appeal period ends on May 23, 2019.

CALL TO ORDER / FLAG SALUTE:

ROLL CALL:

Barstow, Capelle, Chung, Desai, Diep, Schoales, and McGuire

1. APPROVAL OF MINUTES:

Meeting of April 10, 2019
Adjourned Meeting of April 24, 2019

RECOMMENDED ACTION:

Approve

PUBLIC HEARING:

NEW BUSINESS:

2. CONDITIONAL USE PERMIT NO. CU-19-4

A request to establish a single story 705 sq. ft. one-bedroom, attached accessory dwelling unit within a single family residential property located at 5321 Emerywood Drive within the 10, 000 sq. ft. Estate Residential (RS-10) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-Fill Development).

APPLICANT/ PROPERTY OWNER:

Pola S. Yoo
5321 Emerywood Drive
Buena Park, CA 90621

RECOMMENDED ACTION:

Continue to a date uncertain

ORAL COMMUNICATIONS:

At this time, the public may address the members of the Planning Commission on any item that is within the jurisdiction of the Planning Commission.

AGENDA FORECAST:

STAFF REPORTS:

COMMISSION REPORTS:

ADJOURNMENT: To the regularly scheduled Planning Commission meeting on Wednesday, May 22, 2019, at 7:00 p.m. in the City Council Chamber

PCAG 050819

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
April 10, 2019

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on April 10, 2019, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair McGuire presiding.

PRESENT: COMMISSIONERS: Barstow, Capelle, Chung, Diep, Schoales, and McGuire

ABSENT: COMMISSIONER: Desai

Joel W. Rosen, AICP, Director of Community Development
Brady M. Woods, Planning Manager
Swati Meshram, PhD, AICP, LEED AP, Senior Planner
Braulio M. Moreno, Assistant Planner
Mina Mikhael, P.E., Assistant City Engineer
John W. Lam, Assistant City Attorney
Ruth Santos, Senior Administrative Assistant

Commissioner Chung was absent for Item Nos. 1 and 2.

1. APPROVAL OF MINUTES

March 13, 2019
March 27, 2019 Adjourned Meeting

RECOMMENDED ACTION: Approve

AYES: 5 COMMISSIONERS: Capelle, Diep, Barstow, Schoales, and McGuire

NOES: 0 COMMISSIONER:

ABSENT: 2 COMMISSIONERS: Chung and Desai

ABSTAIN: 0 COMMISSIONERS:

PUBLIC HEARING:

NEW BUSINESS:

2. CONDITIONAL USE PERMIT NO. CU-19-2

A request to allow outdoor storage of recreational vehicles, with associated parking area and site improvements for a vehicle storage business located at 6270 Caballero Boulevard within

the Heavy Industrial (MH) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15301, Class 1 (Existing Facilities).

APPLICANT: Mark Loxsom
 OCRV Storage, Inc.
 14252 Culver Drive, Suite A-138
 Irvine, CA 92604

PROPERTY OWNER: CPT Caballero Industrial LLC
 Jon Carley, AEW Capital Manager
 601 South Figueroa Street, Suite 215
 Los Angeles, CA 90017

RECOMMENDED ACTION: Adopt Resolution of Approval

In reply to Chair McGuire, Ms. Santos stated that staff distributed a memo with additional information on the proposed project.

The staff report was presented by Braulio M. Moreno, Assistant Planner.

The site is zoned MH (Heavy Industrial) Zone. General Plan designation of the property is Industrial.

SURROUNDING LAND USE CHARACTERISTICS:

| | General Plan | Zoning | Existing land use |
|--------------|---------------------|-----------------------|--------------------------|
| North | Industrial | MH (Heavy Industrial) | Tawa Supermarket Inc |
| South | Industrial | MH (Heavy Industrial) | Trim-Lol, Inc |
| East | Industrial | MH (Heavy Industrial) | Erika Records Inc |
| West | Industrial | MH (Heavy Industrial) | A&R Logistics |

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU19-2.

The property under application is located on the south side of Caballero Boulevard, west of Regio Avenue and east of Descanso Avenue, with street frontage of 360 ft. The total site area is 5.8 acres (252,648 sq. ft.). The property is developed with a 130,140 sq. ft. industrial building, including 2,600 sq. ft. of office space. Additionally there is 20,000 sq. ft. of outdoor vehicle storage area.

The site is accessed by two driveways along Caballero Boulevard and parking is provided along three sides of the building except towards the rear of the property.

In 1971, Site Plan No. SP-493 approved the construction of the 130,140 sq. ft. industrial building. In 1985, a modification to the Site Plan No. SP-493M1 approved two loading doors and a canopy. No other entitlements have been proposed since.

The submitted application and plans propose to utilize the outdoor area for recreational vehicles (RV) and commercial vehicle storage in conjunction with an indoor RV storage establishment utilizing the 130,140 sq. ft. building. Improvements such as landscape

maintenance, screening, Orange County Fire and building code requirements are conditioned as part of the approval.

The submitted plans indicate a 123,540 sq. ft. area within the 130,140 sq. ft. industrial building will be used for storage of vehicles. Within the building, 2,600 sq. ft. will continue to be used as office space and 4,000 sq. ft. area will be used for non-mechanical camper repairs and services which include cleaning inside and out, charging batteries and chilling fridge, patching or replacing roof, roof mounted AC unit servicing, replacing awnings, electrical and plumbing repairs, furnace and water heater repairs, installing carpet or tile, repairing/replacing furniture and built-ins, and trailer electrical brake servicing. No engine, drive train, or transmission work will be done at this location.

The submitted plans indicate that 20,000 sq. ft. of outdoor area will be utilized for outdoor storage of vehicle. Other improvements such as ADA parking requirements, automation of the existing gates, and renovations of the existing office space are proposed. The administrative operations of the business will be conducted within the office area.

No change to exterior of the building is proposed with this change of use request.

There is existing landscaping area on the property which will be unaffected by the change of use. Front lot area is currently landscaped and will continue to be landscaped with any necessary upgrades to meet current landscape standards. Additionally, the existing manual gates will be converted into automated gates with bypass key switch and a Knox box for emergency access. Vehicular access to the site is provided via two driveways on Caballero Boulevard.

Section 19.512.010 of the Buena Park Zoning Code requires Planning Commission review and approval for the establishment of an outdoor RV storage, via the Conditional Use Permit process. Staff has reviewed the submitted application, visited the site and believes that the facility and site are adequate to support the project proposal. More than adequate parking is available to accommodate the relocated establishment at this location. Since the majority of the industrial site will be utilized as storage for vehicles, only the 2,600 sq. ft. of office space was used to calculate the required parking. The required parking per the Zoning Code is four per one-thousand for an office use. Total required parking spaces for this proposal are ten (10); the total proposed parking spaces other than RV and commercial vehicle parking is 17.

Section 19.524.020 of the Buena Park Zoning Code requires that outdoor storage shall not be located in any required parking area, loading area or access way, in any front yard, or in any area required to be landscaped. The outdoor area will be used principally for the storage of vehicle and will be appropriately screened from the public view. The screening material shall be submitted to the Planning Division for the review and approval.

OCRv has been established and operating within Orange County since 2005, most recently in Anaheim. According to the applicant, vehicle owners must request their vehicles a day before the anticipated pickup, with a specific day and time by voice or text message on the OCRv business phone number, the line is monitored at all times by staff. The vehicles that are parked in the staging area for pickup or dropped off by their owners for valet storage are in the dedicated staging area for an average of 1-3 hours. The vehicle owners are only allowed in the office and the staging area.

Staff believes that the adjacent uses and surrounding businesses will not be negatively affected by the proposed RV and commercial vehicle storage establishment. The hours of operation for the storage facility will be Monday through Friday 9 am to 5 pm, Saturdays 9 am to 1 pm, and closed Sunday and major holidays. Further, staff is recommending conditions of approval that minimize any potential negative impact on the surrounding properties or businesses such as lighting requirements.

The project is Class 1, Section 15301 (Existing Facilities), categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park website, the Buena Park Library, and Ehlers Event Center on March 29, 2019, and 14 notices were mailed to property owners within a 300 ft. radius of the subject property on March 29, 2019.

Chair McGuire asked if there were any questions for staff.

Commissioner Schoales asked if the applicant needs to go through a Conditional Use Permit (CUP) or modification process if a resident manager is employed.

Mr. Rosen said the employment of a resident manager for this application will require a CUP modification process.

Commissioner Capelle commented that because of the nature of the business, which involves expensive real estate that will continuously be in motion, she assumes ample security will be in place, including cameras that are monitored remotely, and expert drivers.

Chair McGuire stated that this is a public hearing. If there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

Mark Loxsom, applicant, OCRV Storage, Inc., 14252 Culver Drive, Suite A-138, Irvine, CA 92604, said the proposed location, being in the center of an industrial zone, is ideal for their business which he described as a business that has slowly grown and been in operation for about 15 years now. He said their tenants have been with them for many years; vehicles that are for pick-up or dropped off by their owners for valet storage are in a dedicated staging area for an average of one to three hours; he and another person move the vehicles; their largest vehicle is 45 ft. long and there is more than enough space for all vehicles; vehicle owners relay their requests in advance before pick-up; the gates are automated, with monitoring systems in place - security cameras and secure access for facilities are on the their phones. Mr. Loxsom said that although there is no need for a resident manager at this time, they will be willing to go through the CUP modification process should the need arise.

There being no one else wishing to speak on the matter, Chair McGuire closed the public hearing and advised that the item requires a Resolution for approval or denial with findings.

Commissioner Capelle moved, and Commissioner Diep seconded, the motion to adopt the Resolution approving Conditional Use Permit No. CU-19-2 with findings of fact and conditions therein.

**RESOLUTION NO. 6148
CONDITIONAL USE PERMIT NO. CU19-2**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU19-2 TO ALLOW THE OUTDOOR STORAGE OF RECREATIONAL VEHICLES AT AN EXISTING INDUSTRIAL PROPERTY LOCATED AT 6270 CABALLERO BOULEVARD WITHIN THE MH (HEAVY INDUSTRIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

AYES: 5 COMMISSIONERS: Capelle, Diep, Barstow, Schoales, and McGuire

NOES: 0 COMMISSIONER:

ABSENT: 2 COMMISSIONERS: Chung and Desai

ABSTAINED: 0 COMMISSIONER:

Commissioner Chung arrived at 7:21 p.m.

3. CONDITIONAL USE PERMIT NO. CU19-13

A request to establish an accessory dwelling unit within an existing structure in conjunction with constructing a new two-story single family primary unit and associated site improvements at 8131 Whitaker Avenue within the Medium Density Multifamily Residential (RM-20) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-fill Development).

APPLICANT/PROPERTY OWNER: Lam Hong Pham
8131 Whitaker Avenue
Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution of Approval

In reply to Chair McGuire, Ms. Santos stated that staff had received no written communication on the item.

The staff report was presented by Swati Meshram, Senior Planner.

The property under application is located on the north side of Whitaker Street, between Los Robles Avenue and Indiana Avenue. The property maintains a street frontage of 50 feet and a total land area of approximately 0.15 acres (6,300 square feet). It carries a General Plan designation of High Density Residential, a Zoning classification of RM-20 (Medium Density Multifamily Residential), and is currently developed with a 747 sq. ft. single family house and a detached 2 car garage and related residential site improvements.

SURROUNDING LAND USE CHARACTERISTICS:

| | GENERAL PLAN | ZONING | EXISTING LAND USE |
|--------------|--------------------------|---------------|--|
| North | High Density Residential | RM-20 | Single Family Residential |
| South | High Density Residential | RM-20 | Apartments and Single Family Residential |
| East | High Density Residential | RM-20 | Single Family Residential |
| West | High Density Residential | RM-20 | Single Family Residential and Church |

Staff recommends that the Planning Commission adopt a Resolution approving Conditional Use Permit No. CU19-3.

On May 8, 2018, City Council adopted Ordinance No. 1642 which amended Title 19 of the Buena Park Municipal Code (BPMC) for compliance with recently updated California Government Code Section 65852.2, containing standards regulating the establishment and maintenance of accessory dwelling units (ADU) in specified single and multi-family zones within the city.

The submitted application and plans propose the conversion of an existing legal non-conforming single story 747 sq. ft. house to an accessory dwelling unit, in conjunction with construction of a new two-story 2,514 sq. ft. primary single family unit. The ADU will include two bedrooms, one bathroom, living room, and kitchen. A new one car garage and a new 2 car garage will be constructed for the ADU and primary unit respectively.

The new single family home will be two stories with 840 sq. ft. on the first floor and 1,674 sq. ft. on the second floor. The first floor will consist of a living room, dining area, powder room, kitchen, and stairs to access the second floor. The second floor will consist of 4 bedrooms, 3 bathrooms, and a family room. The second floor overhangs the first floor area and the garages, but does not extend over the proposed ADU. The new unit will be stuccoed and painted to match the existing residence, with roofing material consisting of shingles.

Single family homes are a permitted use in RM-20 zones and are must be developed in accordance with Section 19.316.050 RS-6 single family zone standards. The proposed primary unit does not require a Conditional Use Permit, however, it must meet all the criteria and determinations required under the Site Plan review, and per Section 19.128.040 Division 1, may be considered by the Planning Commission in conjunction with consideration of a Conditional Use Permit, such as the aforementioned ADU. It should be noted that the existing unit on the property is legal non-conforming due to the size of the unit. A minimum floor area required for a unit is 1,100 sq. ft.

Section 19.348.101 of the BPMC requires discretionary review pursuant via the Conditional Use Permit process for an accessory dwelling unit that does not meet all applicable development standards, which includes a 1-bedroom and 600 square foot maximum floor area limitation. The applicant's request includes establishment of an ADU within an existing 747 square foot residential structure consisting of 2-bedrooms; therefore, the proposed project requires Conditional Use Permit review based on the criteria. The goal of the Conditional Use Permit review process is to ensure that the project meets all development standards of the zoning code, and to also establish that the project is in harmony with the existing architectural character of the area and not harmful to the existing and intended character of the surrounding neighborhood.

With the exception of two bedrooms and the 600 square foot unit size, the proposed ADU will meet all criteria for development including height of structure, building coverage, setbacks, 30% maximum size ratio, off-street parking, access, infrastructure, and architectural compatibility.

The proposed ADU will be one story with a total building height of 14'-8"; the new primary residence is two stories with a total building height of 24'-5". Once complete, development on the property including the existing primary residence and the new ADU will maintain a building coverage of 39%; 40% is permitted in the RM-20 zone. The plans demonstrate that new proposed primary unit as well as the ADU will comply with all required setbacks. The proposed primary unit will encroach into the 25 ft. rear-yard area with coverage of 6%; 30% is permitted. The ADU will contain 747 square feet which is 29.7% of the proposed 2,514 square foot primary residence; 30% maximum is allowed by code. The proposed ADU is within ½ mile of a transit stop and if all development standards were met, no off-street parking would be required. Since in this case a Conditional Use Permit is required to exceed the 600 square foot maximum unit size and 1-bedroom maximums, parking for the ADU can be required. The applicant is proposing one garage parking space for the ADU, as well as a compliant 440 sq. ft. 2 car garage for the proposed 4-bedroom primary unit. Upon completion, the proposed and existing units will remain consistent with the architectural design including materials and color.

Staff reviewed the submittal plans, visited the site and surrounding area, and is of the opinion that the property can accommodate the proposed primary unit as well as conversion of the existing unit into an ADU in compliance with applicable development standards. As proposed, the ADU and the new primary unit will impose no adverse impacts on adjacent properties, and complies with all development standards for single family homes with accessory dwelling units within the RM-20 zone, including height of structure, building coverage, setbacks, dwelling size, off-street parking, access, infrastructure, and architectural compatibility. Further, staff is recommending conditions of approval that minimize any potential negative impact on the surrounding properties such as one of the two units must be owner occupied or the ADU cannot be rented; and that the minimum rental term shall be no less than 30 days and cannot be used as a short term rental.

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) has been deemed to be exempt from CEQA per Section 15332, Class 32 (In-fill Development)

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Event Center on March 29, 2019, and 33 notices were mailed to property owners within a 300 ft. radius of the subject property on March 29, 2019.

Dr. Meshram clarified that the property adjacent to the subject property, which was described in the staff report as developed with a single family house, also includes a church.

Chair McGuire asked if there were any questions for staff.

Commissioner Diep said she applauds the proposed three-car garage which is appropriate for this type of application.

Chair McGuire stated that this is a public hearing. If there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

There being no one wishing to speak on the matter, Chair McGuire closed the public hearing and advised that the item requires a Resolution for approval or denial with findings.

Commissioner Schoales moved, and Commissioner Diep seconded, the motion to adopt the Resolution approving Conditional Use Permit No. CU-19-3 with findings of fact and conditions therein.

**RESOLUTION NO. 6149
CONDITIONAL USE PERMIT NO. CU19-3**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU19-3, TO ALLOW A TWO-BEDROOM ACCESSORY DWELLING UNIT WITHIN AN EXISTING SINGLE STORY 747 SQUARE FOOT STRUCTURE; IN CONJUNCTION WITH CONSTRUCTING A NEW 2,514 SQ.FT. TWO-STORY PRIMARY UNIT, AND ASSOCIATED SITE IMPROVEMENTS LOCATED AT 8131 WHITAKER STREET WITHIN RM-20 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

| | | | |
|------------|---|----------------|--|
| AYES: | 6 | COMMISSIONERS: | Schoales, Diep, Barstow, Capelle, Chung, and McGuire |
| NOES: | 0 | COMMISSIONER: | |
| ABSENT: | 1 | COMMISSIONER: | Desai |
| ABSTAINED: | 0 | COMMISSIONER: | |

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods said there are no items scheduled at this time, and he will provide further update to the Planning Commissioners.

STAFF REPORTS:

Mr. Rosen discussed City Council approval of ordinances appointing Commissioners by district, and gave an update on the Buena Park Navigation Center.

COMMISSION REPORTS:

None

ADJOURNMENT: At 7:38 p.m., Chair McGuire adjourned to the regularly scheduled Planning Commission meeting on Wednesday, April 24, 2019, at 7:00 p.m. in the City Council Chamber.

Richard McGuire
Chair

ATTEST:

Joel W. Rosen, AICP
Secretary

DRAFT

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
April 24, 2019

Due to lack of quorum, the regular meeting of the Planning Commission of the City of Buena Park on April 24, 2019, adjourned to the regularly scheduled Planning Commission meeting on Wednesday, May 8, 2019, in the City Council Chamber.

Richard McGuire
Chair


ATTEST:

Joel W. Rosen, AICP
Secretary

DRAFT



TO: Chair McGuire and Planning Commissioners

FROM: Joel W. Rosen, AICP, Community Development Director 

DATE: May 2, 2019

SUBJECT: **ITEM NO. 2 - MAY 8, 2019 PLANNING COMMISSION MEETING**

Staff received an email from the applicant requesting for continuance to a date uncertain. Attached is a copy of the email.

From: seung hwan pak [<mailto:spinteriordesign76@gmail.com>]

Sent: Thursday, May 02, 2019 2:58 PM

To: Moreno, Braulio

Subject: Re: 5321 Emerywood - ADU

Hello.

this is Seung Hwan Pak, applicant for home owner.

Per our phone conversation, regards to 5321 Emerywood drive, Buena park, CA 90621 new A.D.U

I like to request postpone public hearing until home owner is available to discuss new condition. Home owner is out of country.

I appreciate it if you can email me regards to future public hearing date and any changes there maybe in future.

Thank you.

best regards

Seung Hwan Pak

Project manager

agent for home owner.